GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

P.S.- R&B Department- Sri K. Sreerama Reddy, the then Assistant Executive Engineer (R&B) Section, Dhone, Kurnool District (Retd) – Recovery of the balance amount of Rs. 25,62,076/-i.e.,(total loss of Rs.28,12,076 - Rs.2,50,000/-DCRG = Rs.25,62,076/-) towards shortage of materials etc., by invoking section 52 of the A.P Revenue Recovery Act,1864- Orders- Issued.

TRANSPORT, ROADS AND BUILDINGS (VIG. R&B) DEPARTMENT

G.O.Ms.No.71 Dated:12 .12.2017

Read the following:

1. G.O.Rt.No.152,TR&B(Vig.I) Deptt dt. 04.02.2013
2. G.O.Rt.No. 370,TR&B(Vig.I) Deptt dt. 24.03.2014
3. From the APAT, Hyderabad Orders in OA.No.9222/2013 with VMA No. 629/2014 dt.31.05.2017 received on 30.06.2017.
4. G.O.Rt.No.467, TR&B(VIG.R&B) Deptt., Dt.12–12-2017

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ORDER:

Orders were issued in the reference 1st & 2nd read above for recovery of Rs 20,50,751/- + Rs. 7,61,325/- with a total amount of Rs.28,12,076/- from the pensionery benefits of Sri. K. Sreerama Redddy, Deputy Executive Engineer (R&B) (Retd) in terms of G.O.Ms.No.995, Finance (Pen.I) Deptt dt. 21.12.2002 towards shortage of materials pertaining to his incumbency as AEE of plan works section Dhone from 07.11.1992 to 18.05.1998 and also held full additional charge of AEE(R&B) Section Dhone from 24.10.1997 to 18.05.1998 and from 19.05.1998 to 21.06.1998 respectively.

2. Sri K. Sreerama Reddy, Deputy Executive Engineer (R&B) (Retd) has filed O.A. No.9222/2013 in APAT challenging the G.O. Rt. No.152, TR&B(Vig.I) Deptt Dt.4-2-2013.

3. In the reference 3rd read above, the Hon'ble APAT, in its final orders dt.31.05.2017 in OA.No.9222/2013 with VMA No. 629/2014 observed as follows:

..”The Government by virtue of Rule 9(7) of the Andhra Pradesh Revised Pension Rules, 1980 can order for recovery of loss caused to the Government only from gratuity due to the applicant. Therefore, the Government have a right to recover the loss of Rs. 20,50,751/- vide G.O.Rt.No.152 Transport, Roads and Buildings (Vig.I.1) Department dated 04.02.2013 and Rs. 7,61,325/- vide G.O.Rt.No. 370 Transport, Roads and Buildings (Vig.I.1) Department dated 24.03.2014,which is not under challenge, only from the DCRG amount and the applicant is entitled for sanction and release of pension and other pensionary benefits, except the said DCRG amount.

Point is answered accordingly.

In view of the finding on point, the Government/ 1st respondent is entitled to implement G.O.Rt.No. 152 Transport, Roads and Buildings (Vig.I.1) Department dated 04.02.2013 strictly in accordance with Rule 9(7) of the Andhra Pradesh Revised Pension Rules, 1980 only to the extent of gratuity (DCRG) amount due to the applicant.

Government is directed to sanction and release the pension and other pensionary benefits except DCRG amount within six

(P.T.O)

months from the date of receipt of copy of this order, falling which the applicant is entitled for the above said amount with 12% interest from the date of expiry of the above stated six months."

4. The matter was examined by the Government and in the reference 4th read above, orders were issued releasing pension and pensionary benefits to Sri K. Sreerama Reddy, Deputy Executive Engineer (R&B) (Retd) duly withholding DCRG for an amount of Rs. 2,50,000/- /-(Rupees Two Lakhs Fifty Thousand only) towards the recovery for the loss caused to Government out of an amount of Rs. 28,12,076/- (Rupees Twenty Eight Lakhs Twelve Thousand and Seventy Six only) strictly in accordance with Rule 9(7) of A.P. Revised Pension Rules in implementation of the orders issued in G.O.Rt.No. 152 TR&B(Vig.I.1) Department dated 04.02.2013 and G.O.Rt.No. 370 TR&B(Vig.I.1) Department Dt. 24.03.2014.

5. Government felt that total loss caused to the Government by Sri K. Sreerama Reddy, Deputy Executive Engineer (R&B) (Retd) towards shortage of material is Rs. 28,12,076/-. After deducting DCRG amount i.e 2,50,000/-, balance amount remains to be recovered from the retired officer is Rs 25,62,076/-. Hence it is decided to recover the remaining balance amount of Rs 25,62,076/- (i.e., total loss of Rs.28,12,076 - Rs.2,50,000/-DCRG = Rs.25,62,076/-) from the Sri K. Sree Rama Reddy, Dy. E.E (Retd) as ordered in the reference 1st and 2nd read above by invoking Section 52 of the A.P Revenue Recovery Act,1864 towards loss caused to Government on shortage of material during his incumbency period as AEE of plan works section Dhone from 07.11.1992 to 18.05.1998 and also held full additional charge of AEE(R&B) Section Dhone from 24.10.1997 to 18.05.1998 and from 19.05.1998 to 21.06.1998.

6. Accordingly, Government hereby order to recover the balance amount of Rs 25,62,076/- (Rupees Twenty Five Lakhs Sixty Two thousand and Seventy Six only) (i.e total loss of Rs.28,12,076 – Rs 2,50,000/-DCRG = Rs.25,62,076/-) from Sri K. Sreerama Reddy, Deputy Executive Engineer (R&B) (Retd) as ordered in the reference 1st and 2nd read above by invoking Section 52 of the A.P Revenue Recovery Act,1864 towards loss caused to Government on shortage of material during his incumbency period as AEE of plan works section Dhone from 07.11.1992 to 18.05.1998 and also held full additional charge of AEE(R&B) Section Dhone from 24.10.1997 to 18.05.1998 and from 19.05.1998 to 21.06.1998.

7. The Engineer-in-Chief (R&B), Administration shall take further necessary action in the matter in consultation with concerned District Collector and update the action taken in this regard from time to time.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ANIL CHANDRA PUNETHA
CCLA & SPECIAL CHIEF SECRETARY TO GOVERNMENT AND
PRINCIPAL SECRETARY TO GOVERNMENT (FAC)

To
Sri K.Sreerama Reddy, Deputy Executive Engineer (Retired), Through the ENC (R&B) Admn.A.P Vijayawada
The Engineer-in-Chief(R&B) Administration,A.P Vijayawada

Copy to:

The Accountant General, A.P., Hyderabad.
The Deputy Accountant General (Pensions), O/o Accountant General, A.P., Hyderabad.
Sf/Sc

//FORWARDED::BY ORDER//

SECTION OFFICER